

HILL WALLACK LLP

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Attorneys for Defendants,
Varoujan Khorozian, Kyle Khorozian,
and the late Derek Khorozian

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK VICINAGE**

C.G.B.,

Plaintiff,

v.

AIDA SANTA LUCIA, VAROUJAN
KHOROZIAN, KYLE KHOROZIAN,
DEREK KHOROZIAN and JOHN DOES
1-5 (being agents, servants and
employees of defendants as a continuing
investigation may reveal who are
fictitiously named because their true
identities are unknown),

Defendants.

CIVIL ACTION NO. 2:15-cv-03401-SDW-LDW

**DECLARATION RESPONDING TO
PLAINTIFF'S COUNSEL'S STATEMENTS
REGARDING DEFENSE COUNSEL IN ECF83-1**

I, Victoria J. Airgood, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney at law licensed to practice in the State of New Jersey and admitted to practice before this Court. I practice law as counsel to the law firm of Hill Wallack LLP and have been handling the within matter on behalf of defendants, Varoujan Khorozian, Kyle Khorozian and the late Derek Khorozian. I am making this Declaration to respond to

statements made about me by plaintiff's counsel, Donald F. Burke, Jr., Esq., in his Certification, filed as ECF83-1.

2. While I have had limited knowledge, since approximately the late Spring 2016, of a litigation pending in Florida involving Teresa Santa Lucia and a life insurance company, I have not coordinated in any way with *anyone* with respect to any litigation activities in that action; nor have I knowingly coordinated any litigation activities in this matter with anyone from the Florida action. I have received portions of deposition transcript discovery, with exhibits, from the Florida action from co-defendant's counsel in this action, in connection with co-defendant Aida Santa Lucia's motion to seal filed in this action, which pertains not to the public docket but rather to unfiled documents supporting the defendants' applications regarding videotaping of their depositions.

3. When I filed my letter (ECF79) responding to Mr. Burke's statements in his earlier filing (ECF77), and requested leave to file a motion to seal, I was not even aware of the motion to seal filed in the Florida action as described in Mr. Burke's Certification. I also was not aware of the other motions discussed in Mr. Burke's Certification. I was, as stated in my letter, trying to protect my clients from Mr. Burke's fact statements in this action that are unconstrained by any citation to the record.

4. I have never spoken to or communicated in any manner with the attorneys representing Teresa Santa Lucia in the Florida case.

5. The purported fact statements that Mr. Burke makes in Paragraphs 45 through 50 of his Certification regarding my conduct as counsel for the Khorozian defendants in this action are false, have been made by Mr. Burke without any clear support in any document, and have

been made by Mr. Burke without support from his personal knowledge. Mr. Burke did not contact me in any manner to discuss these accusations and suspicions prior to putting them in his Certification.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 28, 2016.

s/Victoria J. Airgood

Victoria J. Airgood